

09533906-021202



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PETITIONS OFFICE

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In re Application of  
Mark L. Collins, et al.  
Serial No. 07/944,505  
Filed: September 14, 1992  
Attorney Docket No. 25.835-06

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 24, 1994, to revive the above-identified application.

This application became abandoned for failure to respond in a timely manner to the final Office action of November 5, 1992 which set a shortened statutory period for response of three months. Therefore, the application became abandoned on February 6, 1993.

Since this petition was filed more than one year after the date on which the application became abandoned, the petition is barred; 37 CFR 1.137(b).

In view of the above, the present petition is dismissed as moot. Therefore, the petition fee of \$1,170 has not been charged to petitioner's Deposit Account.

Petitioner may have relief under the provisions of 37 CFR 1.137(a). However, in view of the fact that this case has been abandoned for an inordinate period of time, petitioner must show diligence between the time of becoming aware of the abandonment of the above-identified application and the filing of a petition to revive. Note In re Application of S, 8 USPQ2d 1630.

Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries should be directed to the Office of Petitions  
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*for* *Lawrence D. Babington*  
Jeffrey V. Nase, Director  
Office of Petitions  
Office of the Assistant Commissioner  
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